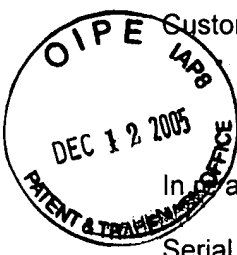


IFW

PATENT



Customer No. 26308

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of: Vandlik et al.

Attorney Docket No.: 1006.F-5489 CIP 2 CON

Serial No.: 10/765,498

Examiner: P. Bianco

Filed: 26 January 2004

Group Art Unit: 3761

For: Blood Processing Systems and Methods that Employ an In-Line Flexible Leukofilter

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL OF APPLICANT'S INTERVIEW SUMMARY

1. Transmitted herewith is an Applicant's Interview Summary for this application.

STATUS

2. Applicant is  
☐ a small entity  
☒ other than a small entity.

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United State Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed as follows: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Date: 8 December 2005

Linda S. Wenzel

Type or print name of person mailing paper

(Signature of person mailing paper)

## EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) - If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 CFR 1.645 for extensions of time in interference proceedings and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply  
(complete (a) or (b) as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)(1) - (a)(5)) for the total number of months checked below:

	Extension (months)	Fee for other than Small Entity	Fee for Small Entity
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$ 225.00
<input type="checkbox"/>	three months	\$1020.00	\$ 510.00
<input type="checkbox"/>	four months	\$1590.00	\$ 795.00
<input type="checkbox"/>	five months	\$2160.00	\$1080.00

Fee: \$\_\_\_\_\_

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$\_\_\_\_\_

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims has been calculated as shown below:

	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Additional Fee (Small Entity)	Additional Fee (Large Entity)
Total Claims 37 CFR 1.16(i)*		-20 =	(20)	x \$ 25.00	\$0	\$0
Independent Claims (37 CFR 1.16(h)**		-3 =	(3)	x \$ 100.00	\$0	\$0
First Presentation of Multiple Dependent claim(s) if any (37 CFR 1.16(j))				\$180.00	\$0	\$0
<b>Total Additional Fee</b>					<b>\$0</b>	<b>\$0</b>

\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** "After final rejection or action (S 1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 CFR S 1.116(a) (emphasis added).

(complete (c) or (d) as applicable)

(c) ☒ No additional fee for claims is required.

**OR**

(d) ☐ Total additional fee for claims required \$\_\_\_\_\_.

## FEE PAYMENT

5. ☐ Attached is a check in the sum of \$\_\_\_\_\_.

☐ Charge Account No. \_\_\_\_\_ the sum of \$\_\_\_\_\_.

## FEE DEFICIENCY

**NOTE:** *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. [ x ] If any overpayment of fees or additional extension and/or fee is required, charge Account No. 06-2360.

## AND/OR

- [ x ] If any overpayment of fees or additional fee for claims is required charge Account No. 06-2360



SIGNATURE OF ATTORNEY

Reg. No.: 29,243

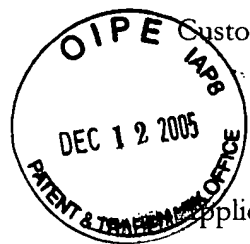
Daniel D. Ryan  
TYPE OR PRINT NAME OF ATTORNEY

Tel. No.: (262) 783 - 1300

RYAN KROMHOLZ & MANION, S.C.  
P.O. ADDRESS  
Post Office Box 26618

Customer No. 26308

Milwaukee, Wisconsin 53226



Customer No.: 26308

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Vandlik et al

Attorney Docket No.: F-5489 CIP2 CON

Serial No.: 10/765,498

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Title: Blood Processing Systems and Methods that Employ an In-Line Flexible Leukofilter

**APPLICANT'S INTERVIEW SUMMARY**

Mail Stop Amendment  
Commissioner for Patents  
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Dear Sir:

The Examiner's time and attention during an interview conducted November 17, 2005 are acknowledged and appreciated.

As discussed during the interview, the applicant has suggested that an interference be declared between new claims 9 to 35 of the instant application and certain claims in co-pending United States Patent Application Serial No. 10/474,805, filed April 2, 2002 (Foreign Priority: April 13, 2001), entitled "Liquid Filtering Method and Filtering System" (the '805 Application), as published as US 2004-0149657 A1. Applicant believes that new method claims 9 to 17 interfere with: method claims 11 to 16 and system claims 29 to 35 of the '805 Application, as published. The '805 Application has been docketed to Examiner Sun U Kim in Group Art Unit 1723. As indicated by PAIR, a Preliminary Amendment was filed in the '805 Application, amending the claims as published. Following the preliminary amendment, the interfering claims remaining in the '805 Application are believed to be method claims 11 and 12 and system claims 29 and 30.

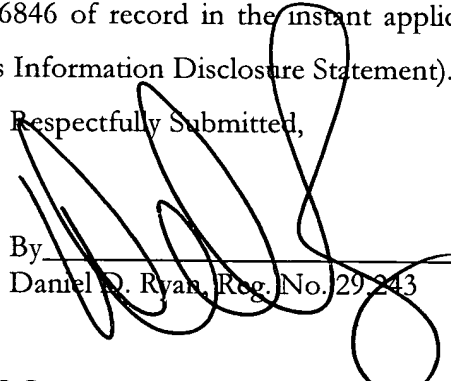
In view of the similarity between claims 9 to 35 of the present application and claims 11 to 16 and 29 to 35 of the '805 Application as published and claims 11, 12, 29, and 30 of the '805 Application pending following the Preliminary Amendment, applicant's representative expressed the concern during the interview, that the examination of these two applications be consistent -- to thereby avoid an inconsistent situation where substantially identical claims are deemed unpatentable in one application and patentable in the other.

During the interview, and at Examiner Bianco's suggestion, Examiner Bianco consulted with Examiner Kim. At Examiner Bianco's suggestion, a short, impromptu meeting between Examiner Bianco, Examiner Kim, and applicant's representative occurred. During the impromptu meeting, applicant's representative again explained the situation and again expressed the concern regarding inconsistent examination. Addressing applicant's concern to maintain continuity between the examination of these claims and the claims of the '805 Application, Examiner Kim and Examiner Bianco discussed the transfer of claims 9 to 35 of the instant application to Examiner Kim. It is the belief of applicant's representative that both Examiner Bianco and Examiner Kim agreed to merits of the transfer during the impromptu meeting.

During the interview with Examiner Bianco, and again during the impromptu meeting with Examiner Kim, applicant's representative presented the following prior art documents, which applicant believes are material to the patentability of the potentially conflicting claims 9-35 in the present application and the claims of the '805 Application: Krasnoff et al. US 5,690,815; Lynn et al. US 5,591,337; EP 0526678 (with English translation); and EP 0516846. Copies of these documents were made available to Examiner Bianco and Examiner Kim during applicant's presentation, and are attached to this Interview Summary.

During the interview with Examiner Bianco, applicant's representative expressed applicant's intention to file a Supplemental Information Disclosure Statement, to make Lynn et al. US 5,591,337; EP 0526678; and EP 0516846 of record in the instant application (Krasnoff et al. US 5,690,815 has been listed in a previous Information Disclosure Statement).

Respectfully Submitted,

By   
Daniel D. Ryan, Reg. No. 29,243

RYAN KROMHOLZ & MANION, S.C.  
Post Office Box 26618  
Milwaukee, Wisconsin 53226  
(262) 783 - 1300  
Customer No.: 26308